AMENDMENTS TO THE CLAIMS:

Please cancel claims 20-23, 28, 30 and 31 without prejudice.

Please add new claims 32-36.

Please amend claims 24-27 and 29 as follows:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-19 **(Cancelled)**

Claims 20-23 **(Cancelled)**

24. **(Currently amended)** A method of diagnosing colon cancer comprising:

a) ~~measuring a level of mRNA of a cancer associated (CA) gene in a first sample, said first sample comprising a first tissue type of a first individual~~ determining the level of a nucleotide sequence comprising a sequence at least 98% identical to SEQ ID NO:167, or a complement thereof, in a patient sample comprising colon tissue; and

b) comparing the level of ~~mRNA~~ the nucleotide sequence in (a) to ÷

~~(1) a level of the mRNA in a second sample, said second sample comprising a normal tissue type of said first individual, or~~

~~(2) a level of the mRNA in a third sample, said third sample comprising a normal tissue type from an unaffected individual;~~ a level of the nucleotide sequence in a second sample, said second sample comprising non-cancerous colon tissue;

wherein a decrease of at least 50% between the level of ~~mRNA in (a) and the level of the mRNA in the second sample or the third sample indicates that the first individual has or is predisposed to cancer~~ the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has colon cancer.

25. **(Currently amended)** The method of claim 24 wherein the ~~mRNA~~ nucleotide sequence comprises a sequence at least 99% identical to SEQ ID NO:167 ~~has a nucleotide sequence of selected from the group consisting of SEQ ID NOS: 5, 11, 17, 23, 29, 35, 41, 47, 53, 59, 65, 71, 77, 83, 89, 95, 101, 107, 113, 119, 125, 131, 137, 143, 149, 155, 161, 167, 173, 179, 185, 191, 197, 203, 209, 215, 221, 227, 233, 239, 245, 251, 257, 263, 269, 275, 281, 287, 293, 299, 305, 311, 317, 323, 329, 335, 341, 347, 353, and 359~~.

26. **(Currently amended)** The method of claim 24 wherein the nucleotide sequence comprises SEQ ID NO:167 ~~cancer is breast, colon or prostate cancer~~.

27. **(Currently amended)** A method of diagnosing colon cancer comprising:

(a) ~~measuring a level of cancer associated (CA) gene expression in a first sample, said first sample comprising a first tissue type of a first individual~~ determining the level of a nucleotide sequence comprising SEQ ID NO:167, or a complement thereof, in a patient sample comprising colon tissue ;and

(b) comparing the level of ~~CA gene expression~~ the nucleotide sequence in (a) to ÷

~~(1) a level of CA gene expression in a second sample, said second sample comprising a normal tissue type of said first individual, or~~

~~(2) a level of CA gene expression in a third sample, said third sample comprising a normal tissue type from an unaffected individual;~~ a level of the nucleotide sequence in a second sample, said second sample comprising non-cancerous colon tissue;

wherein a decrease of at least 50% between the level of ~~CA gene expression in (a) and the level of CA gene expression in the second sample or the third sample indicates that the first individual has or is predisposed to cancer~~ the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has colon cancer.

Claim 28 **(Cancelled)**

29. **(Currently amended)** The method of claim 24 or claim 27 wherein the decrease between the level of ~~CA gene expression~~ the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample ~~in (a) and the level of the CA gene expression in the second sample or the third sample~~ is at least 100%.

Claims 30-31 **(Cancelled)**

32. **(New)** A method of diagnosing prostate cancer comprising:

a) determining the level of a nucleotide sequence comprising a sequence at least 98% identical to SEQ ID NO:167, or a complement thereof, in a patient sample comprising prostate tissue; and

b) comparing the level of the nucleotide sequence in (a) to a level of the nucleotide sequence in a second sample, said second sample comprising non-cancerous colon tissue;

wherein a decrease of at least 50% between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has prostate cancer.

33. **(New)** The method of claim 32 wherein the nucleotide sequence comprises a sequence at least 99% identical to SEQ ID NO:167.

34. **(New)** The method of claim 32 wherein the nucleotide sequence comprises SEQ ID NO:167.

35. **(New)** A method of diagnosing prostate cancer comprising:

(a) determining the level of a nucleotide sequence comprising SEQ ID NO:167, or a complement thereof, in a patient sample comprising prostate tissue ;and

(b) comparing the level of the nucleotide sequence in (a) to a level of the nucleotide sequence in a second sample, said second sample comprising non-cancerous prostate tissue;

wherein a decrease of at least 50% between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has prostate cancer.

36. **(New)** The method of claim 32 or claim 35 wherein the decrease between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample is at least 100%.